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In re Application of :
Butrous et al. :
Application No. 09/692,807 :
Filed: October 20, 2000 :
Attorney Docket No. PC10370A :
Title of Invention: Treatment of Pulmonary :
Hypertension :

OFFICE OF PETITIONS

DECISION ON PETITION

This is a decision on the petition under 37 CFR §1.137(b) filed November 3, 2004 to revive the above-identified application.

This above-identified application became abandoned for failure to file a response to a non-final Office Action which was mailed on March 31, 2004. The non-final Office Action set a three (3) month shortened statutory period for reply. No extensions of time were obtained under the provisions of 37 CFR §1.136(a). Accordingly, this application became abandoned on July 1, 2004. A Notice of Abandonment was mailed on October 26, 2004.

The requirements for a grantable petition under 37 CFR §1.137(b) have been met. This petition is hereby Granted.

A three (3) month extension of time was requested on with the instant petition. However, pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988) Petitioner's six (6) month statutory period expired on October 1, 2004. Petitioner is ineligible for any extensions of time. Accordingly, deposit account no. 16-1445 will be credited with \$980.00.

This application is being forwarded to Technology Center 1600 for further processing of the Amendment submitted with the instant petition.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant

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Petitions Attorney
Office of Petitions